IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl.Misc.No.2570-M of 2007

DATE OF DECISION: MARCH 13, 2007

Rajinder Kumar

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. L.M.Gulati, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

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Petitioner Rajinder Kumar has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.94 dated 24.6.2006 registered under Sections 302/308/323/148/149 IPC at Police Station Sultanwind, District Amritsar.

I have heard the counsel for the parties and gone through the contents of the FIR.

As per the prosecution version, the petitioner was one of the member of the unlawful assembly and it was alleged that brick bat was thrown along with other accused. Counsel contends that in this case the main accused are Rajinder Kumar son of Chanan Dass and Suraj, who are in custody and who alleged to have attributed fatal injuries to the deceased when he was lying on the ground. Counsel for the petitioner further contends that co-accused of the petitioner, namely, Kuldeep Sharma and Tarsem Lal, who are similarly situated, have been granted regular bail by this Court on 22.12.2006 and 26.2.2007 in Crl.Misc.Nos.74803-M of 2006 and 2198-M of 2007, respectively. The petitioner is in custody since 26.6.2006 and till date out of twenty witnesses, only two witnesses have been examined by the prosecution. The trial is not going to conclude soon. The factual position has not been disputed by the counsel for the

respondent-State.

Keeping in view the aforesaid facts, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner, and he is accordingly ordered to be released on bail to the satisfaction of the trial Court.

March 13, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE